

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

STAR NEWS DIGITAL MEDIA, INC.,
MICHAEL PATRICK LEAHY, and
MATTHEW D. KITTLE,

Plaintiffs,

v.

FEDERAL BUREAU OF
INVESTIGATION,

Defendant.

Civil Action No. 3:23-cv-00467-AAT

NOTICE OF RELEASE

Defendant, the Federal Bureau of Investigation (FBI), submits this notice to inform the Court that today, April 17, 2025, the FBI released to Plaintiffs a redacted version of the records requested in this Freedom of Information Act (FOIA) proceeding. The redactions withhold names and identifying information of third parties under FOIA Exemptions 6 and 7(C) and detailed descriptions of the shooter's plans under FOIA Exemption 7(F). Plaintiffs in this action had previously stated that they were not seeking release of the information that will be withheld under Exemptions 6, 7(C), and 7(F). *See* Plfs.' Reply in Supp. of Mot. for Summ. J. at 12, ECF No. 35 ("Plaintiffs simply do not seek any such third-party information. To the extent FBI believes it was within our request, it could, presumably, be redacted."); *id.* at 12-13 ("Here again, such information [regarding the shooter's plans] is unrelated to the motives of the shooter, and would not fall within Plaintiffs' request. To the extent that FBI believes it was within our request, that information could presumably be redacted as well.").

The FBI determined that release of the requested records was otherwise appropriate because the FBI is no longer asserting that the records should be categorically withheld under FOIA Exemption 7(A). Exemption 7(A) authorizes the withholding of records "compiled for law

enforcement purposes” where their release “could reasonably be expected to interfere with enforcement proceedings.” 5 U.S.C. § 552(b)(7)(A). The FBI previously determined that release of the requested records would interfere with prospective enforcement proceedings when cross-moving for summary judgment on July 3, 2023, *see* Def.’s Mem. of Law in Supp. of Mot. for Summ. J, ECF No. 34-1. The FBI has now determined that its assertion of Exemption 7(A) is not necessary.

The FBI intends to meet and confer with counsel for Plaintiffs regarding any remaining issues in this case.

Dated: April 17, 2025

Respectfully submitted,

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Acting Assistant Attorney General

MARCIA BERMAN
Assistant Branch Director

/s/ Alexander W. Resar
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I hereby certify that on this date, I caused service of a true and correct copy of Defendant's
Notice by filing it with the Court's CM/ECF system.

/s/ Alexander W. Resar

Trial Attorney

U.S. Department of Justice

Counsel for Defendant